IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 720 OF 2005
IN
CRIMINAL APPEAL NO.104 OF 2005
IN
SESSIONS CASE NO.827 OF 2002

Nizamuddin Abdul Kadar Sayyed — Applicant
vs.
The State of Maharashtra — Respondent

Mr.Yug Choudhari for the applicant/appellant.

Ms.V.R.Bhonsale, APP for the State.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 14th February 2005

P.C.

The applicant is original accused no.2. He has been convicted of the offence punishable under Section 302 read with Section 34 IPC along with original accused no.1 by the Additional Sessions Judge, Greater Bombay vide judgment dated 29th November 2004. Aggrieved by his conviction, the original accused no.2 has preferred appeal. However, the said appeal suffers from delay of 5 days and hence this application for condonation of delay.

2. For the reasons stated in the application, we are satisfied that the applicant was prevented by sufficient cause in filing the appeal in time.

3. As a matter of fact, there is no opposition to this application by the Additional Public Prosecutor.

4. We, accordingly, condone the delay in filing the Criminal Appeal.

5. Criminal Application stands disposed of.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)